

REMARKS

Reconsideration is requested.

Claims 1-17 have been canceled, without prejudice.

Claims 18-44 have been added. Independent claims 18-20 find support throughout the originally-filed specification. Claims 18 and 19 find specific support for the additional recitation, as compared with now-canceled claim 9, on page 4, lines 1-8 of the specification filed July 26, 2005. The additional recitation of claim 20, as compared with now-canceled claim 9, finds support in the last paragraph on page 7 of the specification filed July 26, 2005. No new matter has been added. Claims 21-44 finds support in the application as filed as well as the now-canceled claims 10-17.

The claims have been rewritten with the Examiner's claim objections in mind. Withdrawal of the claim objection is requested.

The Section 102 rejection of claims 9-11 and 15-17 over Openshaw (Biology of Blood and Marrow Transplants 2000, 6, 563-676), and the Section 103 rejection of claims 9 and 12-14 over Openshaw, are moot in view of the above cancellation of the rejected claims. The claims are submitted to be patentable over the cited art as the cited art describes stem cell transplantation as a means to treat MS. The results of the cited art are less than successful and conclude that further studies are required to determine the overall effect of stem cell transplantation treatment for MS. See Abstract of cited art.

Specifically, Openshaw discloses treatment of MS patients by stem cell transplantation, i.e. according to the cited prior art, before transplantation it is necessary to administer a myeloablative and immunosuppressive agent (conditioning regimen).

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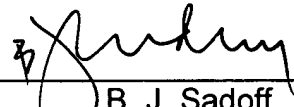
The actual therapeutic agent in the case of the Openshaw reference, thus is the stem cells, whereas in contrast, according to the present invention, treosulfan (and/or derivatives thereof) is used as the therapeutic agent, i.e. without subsequent stem cell transplantation.

The claims are submitted to be patentable over the art of record and in condition for allowance. The Examiner is requested to contact the undersigned in the event anything further is required in this regard.

Respectfully submitted,

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